

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

LAREDO DIVISION

United States District Court
Southern District of Texas
FILED

APR 07 2014

David J. Bradley, Clerk

UNITED STATES OF AMERICA

v.

IVAN VELASQUEZ-CABALLERO,
Defendant.

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CRIMINAL NO. L-08-0244-S3

FACTUAL STATEMENT IN SUPPORT OF PLEA AGREEMENT

The United States of America, by and through Kenneth Magidson, United States Attorney for the Southern District of Texas and José Angel Moreno, Assistant United States Attorney, and the defendant, **IVAN VELASQUEZ-CABALLERO** and the defendant's counsel, hereby stipulate as follows:

I.

If this case proceeded to trial, the United States of America would prove each element of the offenses beyond a reasonable doubt. The following facts, among others, would be offered to establish the Defendant's guilt:

II.

The Gulf Cartel and its enforcement arm, the Zetas, are drug trafficking and money laundering organizations (DTOs). The DTOs utilize DTO members in the United Mexican States and the United States to import cocaine and marijuana across United States ports of entry in Texas and to transport and distribute controlled substances across the United States. In addition, DTO members transport and send drug proceeds from the United States to the United Mexican States. Since 2001, DTO members have imported and possessed with intent to

distribute more than five (5) kilograms of a mixture or substance containing a detectable amount of cocaine and/or one thousand (1,000) kilograms or more of a mixture and substance containing a detectable amount of marijuana. The DTOs have generated more than \$10,000,000.00 in drug proceeds.

Since October of 2004, law enforcement officers in the Southern District of Texas have seized more than two hundred ninety-one (291) kilograms of cocaine and \$850,535 of drug proceeds in United States currency. Law enforcement officers have also seized more than eight hundred seventy-five (875) kilograms of marijuana and 30 firearms in the Southern and Northern Districts of Texas.

Mario Alvarado was arrested in Laredo, Texas in August of 2005 in possession of approximately 139.7 kilograms of marijuana, 3.7 kilograms of cocaine, and four firearms. Alvarado has testified that the marijuana came from and the firearms were destined for Ivan VELASQUEZ-Caballero and that the cocaine came from co-defendant Omar TREVINO-Morales. Additionally, Alvarado has testified that he met Defendant VELASQUEZ-Caballero in approximately 2001 and entered into an agreement with VELASQUEZ-CABALLERO to import and distribute cocaine. Between 2001 and the time of Alvarado's arrest, Alvarado received approximately 100 loads of cocaine from VELASQUEZ-CABALLERO with each load consisting of approximately 30 kilograms of cocaine per load. Alvarado also admitted that he received and transported approximately one ton of marijuana from VELASQUEZ-Caballero. On average, Alvarado purchased a kilo of cocaine for \$11,500 and a kilo of marijuana for \$150. Alvarado added that during the same time period, he also received approximately 100 loads of cocaine from Miguel TREVINO-Morales with each load consisting of approximately 20-30 kilograms of cocaine. Alvarado also transported 20-30 shipments of cocaine for Omar

TREVINO-Morales to Dallas, Texas between December 2004 and his arrest in August of 2005. In addition, Alvarado has stated that he purchased, delivered, bartered, and exchanged firearms for cocaine with VELASQUEZ-Caballero. During the period of the conspiracy, Alvarado has stated that he delivered approximately 100 firearms, including assault rifles and semi-automatic pistols to VELASQUEZ-Caballero. Alvarado also testified that he either personally delivered or sent shipments of money to Mexico as payment and profits of the drug sales in Dallas and elsewhere. Finally, Alvarado has testified that during the month of December 2004, Miguel and Omar TREVINO-Morales held him in Nuevo Laredo, Mexico because he had a large outstanding debt for the cocaine. According to Alvarado, VELASQUEZ-Caballero, who was in charge of the Nuevo Laredo plaza at the time, was aware they were holding him for the debt.

Wenceslao Tovar, Jr. has testified that he began working for the Gulf Cartel and the Zetas in April or May of 2005. After importing four or five small loads of marihuana from Nuevo Laredo, Mexico to Laredo, Texas, he was recruited to be a "sicario" or hit man for the drug trafficking organization (DTO). On orders of the DTO, and specifically, Miguel TREVINO-Morales, Tovar participated and carried out the assassination of two individuals in Laredo, Texas in June of 2005. Shortly thereafter, Tovar was sent to Tampico, Mexico and worked under Omar TREVINO-Morales as part of his security detail. Tovar was then sent to a training camp in Ciudad Victoria with the Zetas. After the camp, Tovar was assigned as part of the security detail for Miguel TREVINO-Morales for approximately 45 days. During that period, Tovar helped kidnap hundreds of individuals in Nuevo Laredo who were ultimately executed by Miguel TREVINO-Morales. Tovar has further testified that he returned to a second training camp near San Fernando, Mexico where he met VELASQUEZ-Caballero in November of 2005. After the second training camp, Tovar was assigned to the security team for Omar TREVINO-Morales in

Michoacan, Mexico from January to April 2006. In April 2006 Tovar was in an automobile accident and was paralyzed from the waist down. The DTO sent him for surgery to Cuba in 2007. Tovar then worked as head of the “halcones” or lookouts in Zacatecas, Mexico under the direction of VELASQUEZ-Caballero.

Eduardo Carreon-Ibarra has stated that he worked for the DTO as a marihuana smuggler and later as a “sicario”. Carreon-Ibarra stated that he worked in 2003 under the direction of VELASQUEZ-Caballero. Carreon-Ibarra would smuggle marihuana loads across the river into Laredo, Texas for the DTO. Carreon-Ibarra smuggled hundreds of kilos of marihuana almost every week for the DTO. Carreon-Ibarra admitted that he lost two loads of marihuana in the later part of 2004 near the Colombia Bridge. One load was lost by a driver named Mark Anthony Espinoza. Border Patrol seized that load and recovered 156.94 kilograms of marihuana. Carreon-Ibarra stated that in 2005, after VELASQUEZ-Caballero was demoted, he met Miguel TREVINO-Morales and began working as a “sicario”. At the end of 2005, Carreon-Ibarra was sent to a training camp by Miguel TREVINO-Morales. At the training camp, they practiced by killing individuals brought to the camp who were rivals of the DTO. Carreon-Ibarra then worked for Miguel TREVINO-Morales as a “sicario”. During that time, he overheard Miguel TREVINO-Morales order the executions of Moises “Moy” Garcia and Jesus “Chuy” Resendez. Carreon-Ibarra also admitted that in February 2006, he was sent along with Juan Carlos Sanchez-Gaytan to Laredo, Texas to carry out an execution. Carreon-Ibarra and Sanchez-Gaytan stayed at the El Cortez motel and coordinated with Michael Diaz De Leon, Rene Garcia, and Andy Hernandez for support and weapons. Prior to carrying out the assassination, Carreon-Ibarra was arrested by the Laredo Police Department.

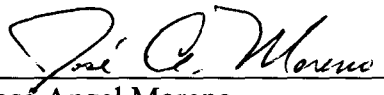


IVAN VELASQUEZ-CABALLERO
Defendant

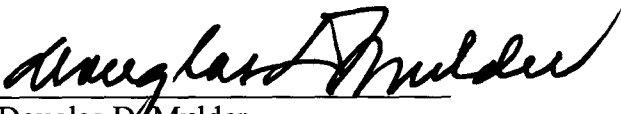
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